

REMARKS

This communication responds to the Final Office Action dated March 1, 2011.

Claim 1 is amended, claim 3 is canceled, and no claims are added. As a result, claim 1 remains pending in this application.

The Rejection of Claims Under § 112

Claims 1 and 3 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended independent claim 1 to correct the identified issue with regard to their being inadequate antecedent basis for the term “life cycle identifier(s).” The term “life cycle identifier(s) has been replaced with “unique transaction” as in “unique transaction identifier(s),” which does have antecedent basis in the claims. Applicant respectfully submits that this amendment does not modify the scope of claim 1 and therefore is supported by the claims as previously pending. Thus, entry of the amendments and withdrawal of the 35 U.S.C. § 112, second paragraph rejections.

Claim 3 is canceled.

The Rejection of Claims Under § 103

Claims 1 and 3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gibson (WO 02/05230) in view of Bata (US Pre-Grant Publication 2003/0097364).

Applicant has chosen to cancel claim 3 to reduce the number of issues for consideration in the present matter for purposes of compact prosecution and not for purposes of patentability. Thus, Applicant reserves the right to reintroduce claim 3 at a later point in time.

Applicant has amended independent 1 to remove redundant language included in the claim (“of e-commerce activity”). Applicant has further amended claim 1 to further clarify that the received electronic data includes “payment processing related data.” Applicant respectfully submits that this further amendment is supported throughout the application as originally filed, for example in the paragraphs beginning at page 3, line 6; page 6, line 1; page 10, line 2; page 10, line 18; page 13, line 5; and in Table 1 on page 7.

Applicant respectfully requests entry of these amendments after Final Rejection because these amendments further clarify the patentability of the claims in view of language already present in the claims. Independent claim 1 prior to the present amendments explicitly provided that “the copies of the electronic data received in a system performing the method which is not one of the systems from which the data is received and is received only for the purpose of maintaining a central archive repository of e-commerce activity documentation.” According to this language, the system performing the method did not generate any of the documentation. Thus, for an amendment to specify that the a particular type of documentation, such as documentation including payment processing data, does not originate with and is not generated by the system performing the method is restating that the system performing the method does not generate any of the document. Thus, the amendment to claim 1 merely clarifies what was previously present in the claim. Applicant respectfully submits that the amendments do not modify the scope of the claim and therefore do not require additional searching. For at least these reasons, Applicant submits that the amendment is proper and should be entered.

Applicant respectfully submits that claim 1 is patentable over Gibson and Bata as the combined teachings fail to provide a teaching or suggestion of all the claim elements. For example, independent claim 1 provides:

“receiving, from two or more different software systems, copies of electronic data relating to a transaction involving documentation communicated in an electronic form, wherein:

the received electronic data relating to the transaction, including payment related data, is produced by the two-or more different software systems from which the electronic data is received; and

the copies of the electronic data, including the payment related data, received in a system performing the method which is not one of the systems from which the data is received and is received only for purpose of maintaining a central archive repository of e-commerce activity documentation;”

Gibson is asserted as providing a teaching or suggestion of these elements. However, Gibson is intrinsically involved in the generation of the electronic data as the cited transaction processing system 19 of Gibson is involved in processing payments for merchants. Gibson, Abstract, FIG. 1; settle payment 130 of FIG. 3; page 4, lines 9-13, among others. Thus, Applicant respectfully submits that Gibson fails to teach or suggest all the element of amended independent claim 1.

Bata is not cited for these elements and fails to cure these deficiencies. Thus, Applicant respectfully submits that Gibson and Bata, both alone and in combination, fails to render amended independent claim 1 obvious.

For at least these reasons, Applicant respectfully submits that claim 1 is patentable. In particular the failure of either Gibson or Bata to provide a teaching or suggestion of a system not involved in generating e-commerce data or a system from which copies of the e-commerce data, including payment related data, is received highlights the patentability of claim 1.

Thus, entry of the amendments, withdrawal of the 35 U.S.C. § 103(a) rejections, and allowance of claim 1 are respectfully requested.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 373-6938 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402--0938
(612) 373-6938

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By 

James D. Hallenbeck
Reg. No. 63,561